

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

TOM FRANKLIN MORRIS, #11451-078

VS. § CIVIL ACTION NO. 4:08cv366  
UNITED STATES OF AMERICA § CRIM. ACTION NO. 4:04cr92(7)

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Amos L. Mazzant, who issued a Report and Recommendation concluding that the motion to vacate, set aside, or correct sentence should be denied and dismissed with prejudice. Movant has filed objections.

The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Having made a careful *de novo* review of the objections raised by Movant to the Report, the pleadings and motions, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of Movant are without merit. Movant has not shown that he is entitled to relief. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the motion to vacate, set aside, or correct sentence is **DENIED** and Movant's case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. It is also **ORDERED** that all motions not previously ruled on are hereby **DENIED**.

**SIGNED this 30th day of August, 2011.**

  
Michael H. Schneider  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE